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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|------------------------|---------------------|------------------|
| 10/660,444 | 09/11/2003 | Andrzej Chanduszeko | NMT-015 | 4893 |
| 22832 7590 05/23/2008 Kirkpatrick & Lockhart Preston Gates Ellis LLP (FORMERLY KIRKPATRICK & LOCKHART NICHOLSON GRAHAM) STATE STREET FINANCIAL CENTER One Lincoln Street BOSTON, MA 02111-2950 | | | | |
| EXAMINER YABUT, DIANE D | | | | |
| ART UNIT 3734 | | PAPER NUMBER | | |
| MAIL DATE 05/23/2008 | | DELIVERY MODE PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/660,444

Applicant(s)

CHANDUSZKO ET AL.

Examiner

DIANE YABUT

Art Unit

3734

All participants (applicant, applicant's representative, PTO personnel):

(1) DIANE YABUT.(3) RONDA MOORE.(2) CRYSTAL KOMM.

(4) ____.

Date of Interview: 08 May 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: ____.

Claim(s) discussed: 31 and 37-39.

Identification of prior art discussed: Roe 6780197; Ginn 6702835; Das 5334217.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant proposes amendments to further distinguish over the prior art including the flexible member going through the opening of the patent foramen ovale rather than through tissue (such as through flap 95 in Ginn). Further consideration and/or search is required in light of newly submitted amendments.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Diane Yabut/
Examiner, Art Unit 3734

Examiner Note: You must sign this form unless it is an
Attachment to a signed Office action.

Examiner's signature, if required